

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

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|---------------------------|---|-----------------------|
| TRISTAN MATTHEW ANDERSON, | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | CASE NO.: 7:22-CV-107 |
| | : | |
| LOWNDES COUNTY JAIL, | : | |
| Defendant. | : | |
| _____ | : | |

ORDER

Pro se Petitioner Tristan Matthew Anderson filed a petition for habeas corpus relief. ECF No. 1. Petitioner did not pay the filing fee nor did he request leave to proceed without prepayment of the filing fee. Therefore, on October 20, 2022, the Court ordered Petitioner to either pay the \$5.00 filing fee or file a statutorily complete motion to proceed *in forma pauperis*. ECF No. 3. Petitioner was given fourteen (14) days to comply. *Id.* Petitioner did not respond regarding the filing fee. Therefore, on November 10, 2022, Petitioner was ordered to show cause why this civil action should not be dismissed for failure to comply with this Court's order to address the filing fee. ECF No. 5. Petitioner was given fourteen (14) days to respond. *Id.*

Thereafter, despite the Court's specific instruction that a request to proceed *in forma pauperis* must include a certified account statement, Petitioner filed a motion to proceed *in forma pauperis* without submitting a certified account statement to the Court. ECF No. 6. On December 2, 2022, Petitioner was ordered to either submit a certified copy of his inmate trust account statement for the preceding six months or pay the \$5.00 filing fee. ECF No. 9.

Petitioner was given fourteen (14) days to respond and was informed that failure to comply would result in dismissal of this action. *Id.* Petitioner did not respond.

Additionally, mail sent to Petitioner at the Lowndes County Jail address provided by the Petitioner has been returned to the Court with notations indicating that he may no longer be incarcerated at that facility. ECF Nos. 10 and 11. Petitioner was previously instructed several times that he must keep the Court updated on any address changes. ECF Nos. 3 and 9. Petitioner has not notified the Court of his current address.

Due to Petitioner's failure to keep the Court informed of his address, failure to follow the Court's Orders, and otherwise prosecute this action, the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order."). In addition, Plaintiff's Motion for Leave to Proceed *in forma pauperis* is **DENIED as MOOT**. ECF No. 6.

SO ORDERED, this 23rd day of December, 2022.

/s/W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT